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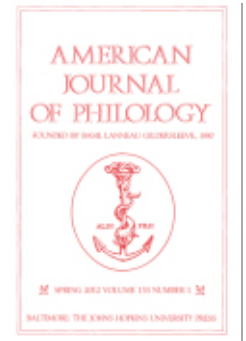
Poetic Speakers, Sophistic Words

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American Journal of Philology, Volume 133, Number 1 (Whole Number 529), Spring 2012, pp. 31-60 (Article)

Published by The Johns Hopkins University Press

DOI: 10.1353/ajp.2012.0009



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POETIC SPEAKERS, SOPHISTIC WORDS

RACHEL AHERN KNUDSEN



Abstract. The relationship between poetically mediated myth and the emerging discipline of formal rhetoric in fifth- and fourth-century Athens has received little scholarly treatment, in part because of a paucity of texts that encompass both myth and formal rhetoric. This article sheds light on the relationship by examining four generically hybrid model speeches: Gorgias' *Defense of Palamedes*, Antisthenes' *Ajax* and *Odysseus*, and Alcidamas' *Odysseus*. I argue that these speeches represent a rare confluence of the Archaic poetic tradition with the inclination towards technique-based modes of discourse among the sophists. This innovative didactic strategy, whereby rhetoric appropriates the appeal of poetic storytelling and characterization, has affinities with a broader societal and literary trend toward mixing genres.

But have you heard only about the rhetorical handbooks of Nestor and Odysseus, which they wrote during their leisure time in Troy? Are you unaware of those written by Palamedes? —Plato, *Phaedrus* 261b

INTRODUCTION

THE GREEK SOPHISTS INHABITED A HISTORICAL MOMENT in which a variety of literary and social practices were coming into contact in Athens. The Archaic poetic tradition was ceding cultural authority to the new poetic forms of tragedy and comedy, to the new prose forms of historiography and oratory, and to the emerging discourses/disciplines of philosophy and rhetoric. These literary confluences and changes, of course, reflected broader societal trends. Among the currents present in Athens in the latter half of the fifth century, when the sophists first appeared there, were the relatively recently established (and still-evolving) institutions of radical democracy and the popular courts. Since it was the duty of all Athenian male citizens to participate in the democratic deliberating bodies, and the legal system required litigants to argue cases on their own behalf, rhetorical skill was at a premium for much of the populace. Beginning with Protagoras, Prodicus, and Gorgias in the 450s–420s B.C.E.,

sophists from around Greece rushed to Athens to satisfy the market for systematic rhetorical instruction.¹

There was great variety in the instructional methods favored by the various sophists. They disseminated their ideas by means of both written handbooks and oral tutoring, and the sophistic writings that do survive take many forms: lists of rhetorical rules and techniques, speculative theory on language and persuasion, and model speeches for imitation.

This article seeks to shed light on one particular tactic in sophistic instruction, a tactic that is notable within the typically innovative and progressive discourse of the sophists in that it hearkens back to Archaic myth and poetry as a fundamental framework for its didactic purpose. In a curious and seemingly short-lived phenomenon (which would later be picked up as a method of rhetorical instruction in the *progymnasmata* of the Second Sophistic), several sophists placed set speeches in the mouths of mythological figures, framing these speeches in situations suggested by the epic tradition.² The four surviving speeches of this particular type (henceforth, “mytho-forensic” speeches, because they all depict trial scenarios) are Gorgias’ *Defense of Palamedes*, in which Palamedes delivers an impassioned defense of himself against Odysseus’ accusation of treason; Alcidas’ *Odysseus: Against the Treachery of Palamedes*, which represents Odysseus’ prosecution speech and may have been intended as a retort to the *Palamedes* of his teacher Gorgias; and Antisthenes’ antilogic pair of speeches, *Ajax* and *Odysseus*, in which each hero asserts his claim to the arms of Achilles and argues against the other.³ Allied in

¹For a brief but helpful overview of the rise of the sophists, the major trends in sophistic thought, and the primary figures populating this group, see Dillon and Gergel 2003, ix–xix; cf. Gagarin 2002, 9–36; Kennedy 1994, 30–35; de Romilly 1992; Kerferd 1981; Guthrie 1971.

²Because of the spotty and fragmentary state of surviving sophistic writings, it is impossible to gauge precisely how common this phenomenon was among all the practicing sophists of the fifth and fourth centuries. The category “sophist” itself is subject to different interpretations; I take it to encompass the traditional figures as collected in Diels-Kranz under the designation “Ältere Sophistik,” as well as Antisthenes (whom Diels-Kranz designates a philosopher despite his rhetorical dabbling, with which this article is concerned) and the so-called “second generation” of sophists working in the fourth century, a group that includes Isocrates and Alcidas (see Dillon and Gergel 2003, xiv).

³Although the majority of sophistic writings have survived only through embedded testimony and quotations in later authors, a handful of works have survived in their own right, including the four full speeches discussed in this paper. In fact, Gorgias’ *Palamedes* and Alcidas’ *Odysseus* are preserved in the same thirteenth-century manuscript, codex Crippsianus (Burney 95); cf. MacDowell 1961; Antisthenes’ *Ajax* and *Odysseus* are preserved (along with Lysias’ speeches and a speech attributed to Alcidas) in the twelfth-century codex Palatinus X (Heidelberg); cf. Rankin 1986.

genre to these mytho-forensic speeches is Gorgias' *Encomium of Helen*, which has often been analyzed alongside the *Defense of Palamedes*. It differs in structural conceit, however, in that it is couched in the voice of the author rather than assuming the identity of Helen. This in turn gives the *Encomium of Helen* an entirely different character from the four speeches at the heart of the present discussion: it is farther removed from mimicking actual forensic situations, where a defendant would argue on his own behalf; and because it is in third-person rather than first-person voice, it fails to convey its subject's *ēthos*, which is a critical aspect of the other speeches' engagement with their mythological and poetic source material. Indeed, Gorgias' *Helen* is primarily a showpiece for the author's own rhetorical virtuosity.

Although each of the four mytho-forensic speeches has received scholarly attention individually to a greater degree (Gorgias) or lesser degree (Antisthenes), no scholarship has examined them as a programmatically related group constituting a distinct and significant literary experiment: combining the sophistic hallmarks of formal forensic argumentation and wordplay with subject matter drawn from mythology and epic.⁴ These hybrids represent a unique confluence of the ancient genres of poetry and rhetoric, even as they bridge the divide—both chronologically and conceptually—between the Archaic and Classical epochs in Greece. The relationship between myth and philosophy in the Classical era has received well-deserved attention in recent scholarship (e.g., Ferrari 1987, Nightingale 1995, Buxton 1999, and Morgan 2000); the relationship between myth and rhetoric during the same period, however, has been largely neglected. This article attempts to redress that neglect by examining the ways in which instructional oratory appropriates the Archaic poetic tradition, particularly as contained in Homer, whose epics are a natural source for rhetorical exempla because of the characters' highly developed speech patterns.⁵

⁴Worman 2002, 149–92, does discuss these four speeches, as well as Gorgias' and Isocrates' respective *Helen* speeches. Her approach to the speeches differs from mine, however, in that she is interested in what the speeches reveal about developments in characterization within the sophistic age. Worman looks particularly at the characters of Helen and Odysseus within these speeches, as these two are the comparative focal point of her book's analysis of character throughout Archaic and Classical Greek literature. Long 2004, 72–76, also briefly brings together these four speeches and Gorgias' *Helen* in a comparative effort, but his concern is to provide an analysis of what he calls the "disposition," or structural arrangement, of various forensic speeches.

⁵Indeed, the sophists were compared to Homeric rhapsodes in the aspects of performance and oral style as early as Aristotle (*Rh.* 3.1.3, 8–9); see Worman 2002, 151, 229, n. 4.

The sophists' often-polemical stance towards poetry (particularly Homer) and poetry's association with values and practices of the past is well-documented.⁶ Gagarin (2002, 14) writes that, as part of the spirit of inquiry that drove the sophists, they "questioned in particular the authority of the poets. Protagoras claims that 'the greatest part of a man's education is to be clever (*deinos*) about poetry' (Plato *Protagoras* 338e–339a)." While criticism and at times outright rejection of poetry is undeniably present among the sophists, there are other dynamics at work as well—indeed, Protagoras' choice of the quality *deinos* is evocative of the multiple possibilities contained in the sophistic-poetic relationship. A close cousin to the polemical relationship between sophistry and poetry was the competitive relationship, in which sophists attempted to exert their powers of argumentation to "defeat" a poetic version of literary or scientific reality; Gorgias' *Helen* would be the classic example of such competitive engagement with a traditional poetic/mythological account. But there is a further variation on the relationship between sophistic rhetoric and Archaic poetry: the adoption of speakers and subject matter from poetry to purvey sophistic techniques. To invoke Protagoras' expression, being *deinos* about poetry could mean not only being critical or suspicious about poetry but also putting poetry to didactic sophistic use.

Constructing imaginary cases or arguments as practice for real court cases was a common method of sophistic instruction in fifth-century Athens.⁷ Gagarin (2002, 22) speaks of the rise, during this time, of "a new form of sophistic discourse, *Antilogiae*, or opposing arguments." Protagoras (ca. 490–420) is purported to have produced his own *Antilogiae*; the anonymous *Dissoi Logoi* treatise of the early fourth century was part of this discourse, and Antiphon's *Tetralogies* (ca. 430s–420s) constitute the primary surviving example of the use of imaginary legal scenarios to explore rhetorical arguments.⁸ But such imaginary cases still took as their framework the realities and court situations of then current-day Athens. What is unique about the four surviving mytho-forensic speeches is that they provide a link between literary works and cultural phenomena that are generally thought of as chronologically and generically separate: Archaic poetic and mythological accounts on the

⁶See Gagarin 2002, 9–36; Pernot 2000, 24–59; Kennedy 1994, 17–29, et al.

⁷See Usher 1999, 2, et al.

⁸For the dating of the *Tetralogies*, see Gagarin 2002, 61–62. He notes that, although Antiphon and Gorgias were rough contemporaries, it is impossible to decipher whether the *Tetralogies* came before or after Gorgias' *Palamedes* and *Helen*, as the dating of the latter two speeches is unknown (108).

one hand and formal rhetorical prose on the other. These speeches are hybrids, with one foot in the mythological world and one in the didactic, rhetorical, and philosophical world. They make calculated use of popular culture to convey their instruction in rhetoric, relying on the particular authority and entertainment value granted by heroic figures to sweeten the tedium of mastering argumentative tropes. As such, they constitute an alternative to (or perhaps a subcategory of) the mainstream system of rhetorical instruction in fifth- and fourth-century Athens, namely, the circulation of handbooks known as *technai logōn*. As the name suggests, these handbooks explicated techniques for rhetorical argumentation. The actual content of the handbooks is a matter of some dispute due to the fact that none survive complete (Cicero attributes this to the influence of Aristotle's *Synagōgē technōn*, which compiled and thus rendered obsolete earlier handbooks), but they seem to have dealt with such issues as the parts of a speech, argumentative *topoi*, and rhetorical language and style.⁹ The explanations of these techniques were likely either accompanied by examples or illustrated wholly through model speeches in the earliest *technai*.¹⁰ But by the fourth century, the *technai* seem to consist largely of insipid catalogues of rhetorical rules for which Plato and Aristotle express disdain,¹¹ and it is no accident, I believe, that though the *technai* quickly disappeared from the extant record, these four mytho-forensic model speeches have survived.

The sophistic authors of these particular speeches do more than simply use old stories for didactic purposes, however: they create their own versions of myth, experimenting with the juxtaposition of traditional tales and modern rhetorical techniques. Gorgias', Alcidas', and Antisthenes' versions of Odysseus, for example, expand on this familiar epic hero's identity to make him, variously, a sympathetic and patriotic (if patronizing) figure, a vicious and dangerous prosecutor, and in each case a sophist *par excellence*. These are clever and entertaining pieces of literature in their own right. They are also innovative: the four speeches

⁹See Kennedy 2007, a useful summary of the current state of knowledge about the handbooks, their contents, and their development from Tisias through Aristotle.

¹⁰See Kennedy 2007 and Usher 1999, 1–6. Usher, following Gercke 1897, holds that the *technai* were model speeches rather than theoretical treatises or lists of rhetorical techniques; Kennedy proposes a reconstruction of the evolution of the *technai* that allows for both the model-speech and the technique-list forms of *technai*. As this latter view seems to me to take good account of references to the subject in Plato's *Phaedrus* and Aristotle's *Sophistical Refutations* and *Rhetoric*, I incline toward Kennedy's views.

¹¹Plato *Phaedrus* 266d5–67d9; Aristotle *Rhetoric* 1.1.3, 1.2.4, etc. See also Kennedy 2007, 293–306, “The Earliest Rhetorical Handbooks.”

capture a transition from poetic storytelling to technical discourse that is emblematic of fifth-century developments in Athenian society, yet is present in little, if any, other surviving literature from the period. (Plato's engagement with myth comes to mind as a possible parallel, although his discourse does not have the same "technical" component as does the sophists' literally technique-based approach to rhetoric, and much of the myth that he invokes is his own invention.) Although the speeches discussed below are not explicitly technical treatises, they do illustrate rhetorical techniques, and they point to the crystallization of Athenian social institutions of forensic oratory, philosophical debate, and rhetorical instruction during this period. Taking each of these four speeches in turn, I shall explore the ways in which this sophistic subgenre links the discourses of both past and present, poetic myth and forensic technique.

I. GORGIAS' *DEFENSE OF PALAMEDES*

The *Defense of Palamedes* by Gorgias (ca. 483–376 B.C.E.) appears to be the earliest surviving speech that exemplifies this link. The date of the *Palamedes* has been difficult for scholars to pinpoint; Segal (1962, 100) summarizes the few scholarly arguments that have approached this question and concludes that "in general the stylistic criteria (such as the increasing avoidance of hiatus) favor a date at the very end of the fifth or beginning of the fourth century." With the *Defense of Palamedes*, Gorgias has created an epideictic speech posing as a forensic defense within the composition's internal, mythological reality. Palamedes, though not a Homeric character, is nevertheless a part of the Trojan cycle; his story appears in the *Cypria*.¹² His traditional reputation as a figure of linguistic inventiveness and cleverness makes him Odysseus' nemesis in myth: Palamedes is the hero who forces Odysseus into joining the Trojan expedition against his will, using trickery; but Odysseus gets the last laugh when he falsely accuses Palamedes of treason and persuades the Greek army to execute him. This reputation for cleverness also makes Palamedes a natural candidate for the practice under examination in this

¹² For the Palamedes myth, see Nightingale 1995, 149–54; Woodford 1994. Palamedes was the subject of lost plays by Aeschylus, Sophocles, and Euripides, and figures thematically in Plato's *Phaedrus* and *Apology*, as Nightingale 1995, 149–54, has shown. Versions of Palamedes' story appear in Vergil's *Aeneid* and Ovid's *Metamorphoses*, but our best source for the Palamedes myth is Hyginus' *Fabulae*, which includes the claim that Palamedes invented eleven letters of the Greek alphabet.

piece—a practice to which Socrates connects Palamedes in the question from *Phaedrus* 261b:

Ἄλλ' ἢ τὰς Νέστορος καὶ Ὀδυσσεύως τέχνας μόνον περὶ λόγων ἀκήκοας, ἃς ἐν Ἰλίῳ σχολάζοντες συνεγραψάτην, τῶν δὲ Παλαμίδους ἀνήκοος γέγονας;

But have you heard only about the rhetorical handbooks of Nestor and Odysseus, which they wrote during their leisure time in Troy? Are you unaware of those written by Palamedes?¹³

This tantalizing mention of “rhetorical handbooks” couched in the voice of mythical figures receives little subsequent elaboration; Phaedrus’ somewhat bewildered response to this Socratic question tries to connect Homeric heroes with sophistic counterparts, after which the subject is dropped. The exchange does, however, confirm the fact that this was an established practice among fifth-century purveyors of rhetorical instruction, and that our four surviving examples are indicative of a wider—if short-lived—trend. As Worman (2002, 183) observes of this passage, “the context suggests that these heroes, traditionally associated with language invention and use, had come to be treated as types whose characters distinguished oratorical styles and whose invocation signaled particular professional orators or speechwriters.”

In the *Defense of Palamedes*, the titular speaker engages in a number of recognizable rhetorical techniques—that is, techniques that are used commonly by fifth- and fourth-century Athenian orators, and are later systematically described by Aristotle (whose *Rhetoric* and lost *Synagōgē technōn* superseded the sophistic handbooks). Palamedes relies most heavily on the argument from probability or likelihood (*eikos*), the conceptualization and labeling of which was a relatively new development in rhetorical theory at Gorgias’ time.¹⁴ *Eikos* is a species of logical argument, or *logos*, to adopt the terminology of Aristotle’s *Rhetoric* (a treatise that dates to a half-century or so after the *Defense of Palamedes*). Palamedes also has frequent recourse to the two other major strategies for rhetorical persuasion that Aristotle identifies along with *logos* in the first book of the *Rhetoric*. The first and more prominent of these in Palamedes’ self-defense is *ēthos*, i.e., a speaker’s appeal to his own character (Aristotle

¹³Text of the *Phaedrus* taken from Burnet 1901; translation is my own.

¹⁴The notion of *eikos* was purported to be an invention of Tisias or Corax and gained popularity in the speeches of Antiphon. On the origins of the argument from probability, see Schiappa 1999, 35–39; Gagarin 1994; O’Sullivan 1992, 28.

Rhetoric 1.2.3). He continually reminds his audience—the assembled Greek army—of his trustworthiness and former benefactions towards them. Finally, Palamedes engages in what Aristotle calls “disposing the audience in a certain way” (τὸν ἀκροατὴν διαθεῖναι πῶς, *Rh.* 1.2.3), which in Aristotle’s formulation encompasses both emotional appeals (*pathos*) and flattery.

The speech is a veritable tutorial on the rhetorical uses of *eikos*.¹⁵ Palamedes’ programmatic statement of *eikos* comes as he introduces his contention: “I shall show you in two ways that [Odysseus] is not speaking the truth; for I could not if I wished, nor would I if I could (οὐτε γὰρ βουληθεὶς ἐδυνάμην ἂν οὐτε δυνάμενος ἐβουλήθην) put my hand to such works as these [i.e., treason]” (5).¹⁶ Launching from there directly into the logical argument of his speech, Palamedes imagines the chain of events that would need to happen in order for him to carry off the treason and then tears down that scenario using appeals to probability. Palamedes’ first claim is that he is physically incapable of carrying out the treason because of the fundamental difficulty built into the first step of the alleged treason: the language barrier between Greeks and Trojans (6). A succession of similar points follows in sections 7–12, with Palamedes agreeing for the sake of argument to concede each previous point (e.g., that he had found some way to communicate with the Trojans) before dismantling the possibility of the next step (e.g., there was no logical way of giving and receiving payment, or of carrying out the act, undetected).

Using a similar pattern of argument, Palamedes in sections 13–21 evaluates the possible motives he might have for committing treason according to considerations of probability and plausibility. Here his speech begins to incorporate the technique of *ēthos* along with that of *eikos*, and it is here most clearly that the new technology of sophistic argumentative tropes (represented by *eikos* logic and by Gorgias’ peculiar barrage of rhetorical questions, syllogisms, and wordplay) fuses with elements of older literary and mythological tradition about the character of Palamedes. The result is a unique piece of rhetorical *deixis* and *didaxis*. Take, for example, Palamedes’ refutation of two possible motives for treason, namely, profit and self-preservation (15):

¹⁵As McComiskey 2002, 34, observes, “in the *Palamedes*, Gorgias offers artistic *topoi* for the invention of logical, ethical, and emotional arguments based on probability.”

¹⁶Text of Gorgias taken from Diels-Kranz 1952 number B11a, translation from Dillon and Gergel 2003.

Now someone might say that I have entered on this through a passion for wealth and money. But I possess a modest sufficiency of money, and I have no need of much . . . To the truth of this claim I offer my past life as witness, and to this you yourselves can be witnesses. You have been my companions, so you know where the truth lies (μάρτυρα πιστὸν παρέξομαι τὸν παροιχόμενον βίον· τῷ δὲ μάρτυρι μάρτυρες ὑμεῖς ἦτε· σύνεστε γάρ μοι, διὸ σύνιστε ταῦτα).

and (19–20):

The remaining alternative is that I did what I did to escape some terror or trouble or danger . . . <But that I would most of all> do harm to myself by committing these acts is quite clear . . . And consider this also. How would my life not be unliveable if I had done these things? Where could I have turned for help? To Greece? Only to suffer the due penalty from those that I had wronged? Who, indeed, of those who had suffered could keep his hands off me? So then was I to stay among the foreigners? Abandoning everything of most importance to me, deprived of the finest honour, spending my days in the most shameful ill-repute, casting aside the labours performed in the cause of virtue throughout my past life? (παραμελήσαντα πάντων τῶν μεγίστων, ἔστερήμενον τῆς καλλίστης τιμῆς, ἐν αἰσχίστῃ δυσκλείᾳ διάγοντα, τοὺς ἐν τῷ παροιχομένῳ βίῳ πόνους ἐπ' ἄρετῇ πεπονημένους ἀπορρίψαντα;)

While still engaging the notions of probability and plausibility to make his argument, Palamedes now relies heavily on his reputation, his “past life,” to win credibility with his audience. Palamedes touts his *ēthos* as he dismisses the idea that he could live among the Trojans after a successful betrayal of the Greek army, asserting that what is “of most importance to me” are the heroic values of honor, reputation, and virtue. His invocation of his internal audience as witnesses to his past life and his “labours performed in the cause of virtue” double as a nod to the formal identity of this speech—one in which Palamedes’ mythical reputation is a “labor performed” in the service of rhetorical instruction.

Palamedes invokes this reputation explicitly as part of his defense in sections 28–32. He disarms his audience at the outset of this passage by expressing embarrassment that he must engage in self-promotion, a move that is, in itself, an appeal to *ēthos*. “It is incumbent on one who is under grave and false indictment to say something about his true virtues among you who know them already,” he argues (28). Reminding his audience of his past benefactions as a persuasive strategy connects Palamedes not only to fifth-century courtroom conventions but also to arguments made by Homeric characters in various situations of appeal. Parallels

include Achilles' bitter protest to Agamemnon in *Iliad* 1.165–67: “But when the time comes for distributing the spoils, you receive the greater reward, though I was the one who wore myself out with fighting”; Thetis' appeal to Zeus in *Iliad* 1.503–4: “Father Zeus, if ever I helped you either in word or in deed among the gods, fulfill this wish for me”; and Achilles' defense of his actions to the Greek embassy in *Iliad* 9.323–27: “As a bird brings morsels to her unfledged chicks . . . but things go badly for herself, thus also I lay awake for many sleepless nights and passed bloody days in fighting, battling on behalf of these other men's wives.”¹⁷ Palamedes appeals to his *ēthos* in its capacities both for providing positive benefits to others, and for restraining him from evil acts such as treason (30–31):

I am not only blameless but actually a major benefactor of you and of the Greek nation and of mankind in general, not only of the present generation but of all those to come. For who else but I made human life viable instead of destitute, and civilized instead of uncivilized (πόριμον ἐξ ἀπόρου καὶ κεκοσμημένον ἐξ ἀκόσμου), by developing military tactics . . . written laws . . . writing . . . weights and measures . . . number . . . powerful beacons and very swift messenger services—and, last but not least, draughts, a harmless way of passing the time? I mention these by way of demonstrating (δηλῶν) that it is to this sort of thing that I apply my attention, using this as an indication (σημεῖον δὲ ποιούμενος) that I abstain from shameful and wicked deeds.

Here again the features of fifth-century sophistic innovation—arguments based on *eikos* and *ēthos*, as well as Gorgias' trademark wordplay and even philosophical vocabulary (τὸν ἀνθρώπειον βίον πόριμον ἐξ ἀπόρου καὶ κεκοσμημένον ἐξ ἀκόσμου)—are fused with mythical subject matter, in the form of a litany of inventions traditionally attributed to Palamedes. That Palamedes uses the legal terminology of demonstration (δηλῶν) and evidence (σημεῖον ποιούμενος) to plead his heroic virtues only emphasizes this fusion of genres.

In the final portion of his speech, Palamedes turns to the rhetorical technique of what Aristotle will call “disposing the audience in a certain way” (a technique often glossed as *pathos*, although it denotes a broader strategy than simply emotional appeal; see above, p. 38). Palamedes here attempts to put the judges in a favorable frame of mind by drawing attention to his own restrained persuasion strategies and flattering them with the assurance that, in doing so, he is respecting their intelligence (33):

¹⁷Translations of Homer are my own.

Appeals to pity and entreaties and the intercession of friends are of use when the trial takes place before a mob (ἐν ὄχλῳ); but among you, the most distinguished of the Greeks, and deservedly so regarded (τοῖς πρώτοις οὔσι τῶν Ἑλλήνων καὶ δοκοῦσιν), it is not proper to resort to persuasion by [these] means . . . but it is right for me to escape this charge by relying on the most perspicuous justice, explaining the truth, not seeking to deceive you.

This is a familiar rhetorical trope, used perhaps most famously by Socrates in the *Apology*.¹⁸ It is not a wholly new device, however: the use of flattery to increase the audience's receptivity occurs in Homer, in such instances as Nestor's appeal to Achilles and Agamemnon (*Il.* 1.275–84), Hera's protestation of innocence to Zeus (15.36–45), or Odysseus' supplication to Nausicaa (*Od.* 6.149–85), among many others. It has the added benefit of reflecting well on the *ēthos* of the speaker: Palamedes is grave and dignified and will not stoop to engage in insincere expressions simply to please the "mob."

Palamedes' culminating argument (34–36) closely maps his heroic values onto what must have been a pressing concern for Gorgias' contemporary audience: Athenian court procedure and the social consequences of voting in the popular courts. Addressing the judges directly, Palamedes issues the rather ominous gnomic statement: "In all cases good men must take great care not to make mistakes" (34)—the implied extension of this sentiment being that the judges must not make the mistake of wrongly convicting him. As a premise to this enthymematic construction, Palamedes invokes the threat of public reprobation (35–36):

For you run the great risk, through appearing unjust, of losing one reputation (δόξαν τὴν μὲν καταβαλεῖν) and gaining a different one . . . If you kill me unjustly, it will become obvious to many (πολλοῖς γενήσεται φανερόν); for I am not unknown, and your wickedness will become known and perspicuous to the whole of Greece).

This argument, couched in the form of a negative incentive, can be tied both to a Homeric precedent and to contemporary rhetorical practice. It recalls Phoenix' appeal to Achilles in *Iliad* 9, in which he warned Achilles (by means of the Meleager *paradeigma*) not to wait to help the Greek

¹⁸ A full analysis of the similarities in diction and argument between the *Defense of Palamedes* and Plato's *Apology* can be found in Coulter 1964, who sees in the *Apology* a critique of Palamedes' (Gorgias') view that rhetoric "provides the worldly man with the means to power" (298).

army until it is too late. Phoenix, like Palamedes, cited the potential loss of public reputation and honor as a negative incentive (*Il.* 9.601–5):

It would be worse to ward off danger with the ships already burning. Instead go while there are still gifts . . . But if you wait to enter man-withering war without gifts, you will no longer be so honored (οὐκέθ' ὁμῶς τιμῆς ἔσσει), though you drive off war.

It likewise resembles the peroration from a real court speech from the same era as Gorgias' fictional speech, namely, Lysias 12 (*Against Eratosthenes*), probably delivered (or circulated) around 403 B.C.E. As he concludes his prosecution, Lysias issues a stern warning to the Athenian jurors concerning how to deal with Eratosthenes and the other Tyrants (12.91):

I would advise you not to condemn yourselves by voting to acquit these men. And do not think that your vote is secret, because you will be making your opinion known to the city (φανερὰν γὰρ τῇ πόλει τὴν ὑμετέραν γνώμην ποιήσετε).¹⁹

Palamedes then cites a second and final premise to this argument, an even more pressing reason for sparing his life, the religious implications of an unjust verdict: “You will have on your consciences the commission of a dreadful, godless, unjust, lawless deed (δεινὸν ἄθεον ἄδικον ἄνομον ἔργον) in having put to death a man who was an ally, useful to you, a benefactor of Greece, and a fellow Greek” (36). Here at the end of his speech, Palamedes wastes no opportunity to renew his appeal to his own *ēthos* while playing on the emotions of fear and guilt in his audience. Classic Gorgianic assonance and asyndeton add rhetorical emphasis at this climactic moment.

Along with the other mytho-forensic speeches to be discussed here, the *Defense of Palamedes* represents a strong link between an Archaic literary tradition and rhetorical trends in fifth-century Athenian society. These sophistic speeches owe more to the Homeric tradition than simply their mythological identities, however. The legacy of Homeric speech, with its frequently complex modes of persuasion (exemplified in the elaborate embassy speeches to Achilles in *Iliad* 9, or the lengthy exhortation and persuasion speeches of Odysseus, Nestor, and others), no doubt informed these examples of sophistic pedagogy and display. Although Palamedes does not himself appear in the Homeric epics, his character and story

¹⁹Text of Lysias taken from Carey 2007, translation from Todd 2000.

are a familiar part of the epic tradition, and his speech also strongly reflects upon the character of his opponent, Odysseus, whose rhetorical capabilities had been well established in Homer. As Worman (2002, 176) notes, "Gorgias demonstrates his understanding of the subtleties of verbal disguise by using the wise but plainspoken Palamedes to throw into sharp relief the more circumspect cleverness of Odysseus." It is not surprising, then, that Odysseus is an irresistible rhetorical vehicle for two other sophistic authors, both of them reportedly pupils of Gorgias: Antisthenes and Alcidamas.

II. ALCIDAMAS' *ODYSSEUS*: AGAINST THE TREACHERY OF PALAMEDES

Although Alcidamas of Elea (ca. 420s–360s B.C.E.) is the youngest of the three sophists discussed here, I treat his speech, *Odysseus: Against the Treachery of Palamedes*, before the *Ajax* and *Odysseus* speeches of Antisthenes because his *Odysseus* provides a natural thematic counterpart to Gorgias' *Defense of Palamedes*. Alcidamas may, in fact, have composed this speech as a rejoinder to Gorgias' speech, considering that he was one of Gorgias' pupils.²⁰ The dating of Alcidamas' *Odysseus* cannot be pinpointed any more precisely than the early- to mid-fourth century,²¹ indeed, the authenticity of this speech as the work of Alcidamas, or even of fourth-century origin, has been a matter of some dispute over the past century.²² I adhere to the traditional identification of the speech with Alcidamas, following Muir (2001), Avezzi (1982), and Auer (1913). Alcidamas' *Odysseus* is certainly cut from the same mytho-forensic cloth as the other sophistic speeches discussed here, especially in that it forms the second half of the mythological *dissoi logoi* of which Gorgias had produced the first half, and of which Antisthenes' *Ajax* and *Odysseus* provide a parallel example.

Odysseus' prosecution of Palamedes gives Alcidamas an opportunity not only to educate his students/clients in rhetorical techniques but also to engage in what seems to be a gentle satire of sophistry. This

²⁰ According to the *Suda* (1.117, 1.535) and Athenaeus (*Deipnosophistae* 13.61, 592C). For further treatment of Alcidamas' life and work, see Edwards 2007; Muir 2001; O'Sullivan 1992 and 2005.

²¹ See Muir 2001, v; Worman 2002, 182.

²² Although recent critical treatments (Avezzi 1982 and Muir 2001, following Auer 1913) have concluded that the speech is likely authentic, O'Sullivan 2008 has recently argued that the speech is an Atticizing work dating to the first-century B.C.E. or later, based on several linguistic features that are not attested before *koine* Greek.

is not entirely surprising; we know from his treatise *On Those Who Write Written Speeches* (also known as *On Sophists*) that Alcidas disapproved of sophists who relied on written speeches rather than on oratorical skill (*rhētorikē*) and philosophy. In prosecuting Palamedes, Odysseus misses no opportunity to remind his audience that Palamedes has made his reputation as a hero skilled with words, argumentation, and invention, and he portrays these sophistic skills in a negative and threatening light. Of course, these qualities also mirror Odysseus' mythic reputation, although Alcidas' Odysseus seems to lack self-awareness (or tradition-awareness) in this respect. Two points of comparison with Gorgias' *Defense of Palamedes* are worth noting, both dealing with the arguments made by each speaker: first, while Palamedes' most prominent argumentative strategy is *eikos*, Odysseus' is character assassination. Second, both speakers appeal to Palamedes' character and reputation as an inventor; but while Palamedes claims these as arguments in his favor, Odysseus argues that these qualities make him worthy of suspicion.

Odysseus opens his indictment, addressed to the Greek warriors who have come on the Trojan expedition, with words of scorn and criticism directed generally at those people who readily "[give] advice to you when they offer no help to the common cause" (1).²³ Such indiscriminate speakers "waste untimely words at random on whatever subject they happen to choose" (1). Indeed, Odysseus' unnamed rivals bear a suspicious resemblance to the sophists as they are portrayed elsewhere, most notably in Plato: "They speak, each of them wanting to get some advantage in selfish glory, and some even charge a fee for consulting with those from whom they think they can get a greater return" (2). Odysseus quickly balances this opening barrage of character assassination directed toward a nameless, but no doubt recognizable, type by claiming to be the opposite type himself. He begins cultivating his own *ēthos* with this assertion (3):

ἐγὼ δὲ ἡγοῦμαι τὸν ἄνδρα τὸν ἀγαθὸν καὶ δίκαιον μῆτε ἔχθρας ἰδίας φροντίζειν
μῆτε φιλεταιρίαν, φιλοτιμίᾳ χαιρισάμενον ἔνεκα ἀνδρὸς ἑνὸς, <ῆ> χρήματα περὶ
πλείονος ποιήσεσθαι, καὶ μὴ ὅ τι ἂν μέλλῃ τῷ πλήθει συνοίσειν.

I think that the good, just man does not concern himself with personal enmity, nor does he set more store by favouritism, gratifying ambition for the sake of one man, nor by money, rather than by what is going to be to the advantage of the majority.

²³Text and translation of Alcidas taken from Muir 2001.

This establishes him as a person who cares about the well-being of the whole Greek army (and, by extension, society), not merely about his own comfort and desires. Worman (2002, 151) has observed that Odysseus provides an ideal mouthpiece through which sophists like Alcidas and Antisthenes can illustrate *ēthopoia*; he “emblemizes the most extreme tactics in the use of character to persuade, in that his manipulative self-presentations effectively control what the hearer sees.” Odysseus is able to manipulate his *ēthos* more successfully than Palamedes and (as we will see below) Ajax in these speeches by anticipating and deftly reversing his opponents’ attacks on his own character. Without explicitly laying claim to an identity of a “good, just man,” Odysseus nevertheless suggests this connection to his audience’s mind—simultaneously implying that Palamedes is one who “concerns himself with personal enmity,” “gratifies ambition,” and so on.

Odysseus next displays his rhetorical savvy by anticipating a possible charge of ulterior motives, claiming that “there has never been any hostility or quarrel (οὐδεμία πώποτ’ ἔχθρα οὐδ’ ἔρις ἐνεγένετο) between me and him on any matter up to now” (4). This is a standard line of self-defense in the Athenian lawcourt, strikingly similar to the argument made by Lysias’ client Euphiletus in *On the Murder of Eratosthenes* 43–44: “Ask yourselves if there had ever been any enmity (ἔχθρα πώποτε γεγένηται) between Eratosthenes and myself except for this [adultery]. You will not find any (οὐδεμίαν γὰρ εὐρήσετε).” At the end of the prologue to the speech, Odysseus impugns Palamedes’ credibility by painting him as threateningly intelligent: “The man I am going to accuse is both educated and clever (φιλόσοφος τε καὶ δεινός), so it is right that you must give me your attention and not be careless over what is now being said” (4). By urging the audience to “give me your attention” and “not be careless,” Odysseus places himself in the role of benevolent protector of the audience, in contrast to Palamedes who will (he implies) take advantage of them. This constitutes yet another exercise of the argument from *ēthos*. The irony, of course, is that this is the pot calling the kettle black; Odysseus is the φιλόσοφος τε καὶ δεινός par excellence in Homeric tradition.²⁴ Here we see rhetoric operating on two levels: the internal level of Palamedes’ treason case, and the authorial level in which the sophistic author winks at his audience.

²⁴ See Worman 2002, 182–85, for further discussion of the ways in which Alcidas’ Odysseus uses character qualities typically associated with himself in his accusation of Palamedes.

A great deal of Odysseus' effectiveness in his accusation comes from the *narratio* of events (5–11), which is full of convincing detail and an underlying thread of his own bravery and loyalty in the crisis of battle; for example, he takes care to note that he is fighting beside Diomedes near the gates of Troy when he witnesses the exchange of messages between Palamedes and one of the Trojans via arrow and spear (5–6). Keeping his own heroism in the audience's view serves to promote his own *ēthos* at the same time that he is recounting Palamedes' alleged treachery. The arrow-borne message that Odysseus proceeds to quote, purportedly from Alexander to Palamedes, is patently unverifiable. Although he calls witnesses to this event—the more closely to resemble the formalities of an Athenian court trial—Odysseus cannot produce the actual arrow because “in the confusion, Teucer shot it back” (8). This is, of course, convenient not only for Odysseus himself but also for the author whose rhetorical conceit would be rendered useless by actual evidence. Muir (2001, xvi) comments that this conceit provides “an exemplar for dealing with a certain type of law-court situation, one in which the circumstantial evidence for the prosecution is quite good but the material piece of evidence which would have clinched the matter (in this case, the arrow) is missing. What is needed to tip the balance is therefore an effective attack on the character and reliability of the defendant.” Odysseus plays up the circumstantial evidence, arguing, like a true sophist—and like Gorgias' Palamedes from probability: “We must also make a probable inference (τεκμαίρεσθαι . . . εἰκότως) from these things about the hurling of the javelin too. For I say that on that also there was writing to say at what hour and when he would commit his treachery” (10).

The argument or “proof” (*pistis*, to use Aristotle's terminology) portion of the speech, sections 12–28, concentrates exclusively on attacking Palamedes' character. Odysseus begins by disparaging Palamedes' origins and family, labeling his father as a poor man of unsavory character who “left no kind of crime untouched” (12–13). He then accuses Palamedes of acting treacherously during the recruitment of Greek forces for the expedition to Troy, persuading Cinyras not to come and taking gifts from him (20–21). For this reason alone, Odysseus opines, “it seems to me that death would be a just punishment for him, if indeed it is just to punish this expert (σοφιστήν) who has been shown to be devising the most disgraceful things (τὰ αἰσχίστα μηχανώμενος) against his friends” (21). Having attacked Palamedes for his learnedness and guile, Odysseus proceeds to attack the basis of Palamedes' reputation for such learnedness—namely, his claim to have invented “formations for war, letters, numbers, measures, weights, draughts, dice, music, coinage and fire-beacons” (22). In

sections 23–26, Odysseus provides “true” aetiologies for most of these skills: Menestheus was the inventor of the phalanx-formation, Orpheus the inventor of writing, Musaeus of numbers, the Phoenicians of coinage, and so on. It is a prominent display of arcane knowledge on Odysseus’ part, one that draws upon quotations in support of his arguments—one quotation supposedly from an inscription on Orpheus’ tomb, another from a poem of Musaeus. Thus Odysseus’ critique of Palamedes for false claims to expertise doubles as an exhibition of his own expert knowledge. But Odysseus does give Palamedes credit for a few inventions, those that, in his view, are pernicious to society. These include weights and measures, “sources of deceit and perjury”; the game of draughts “for the lazy ones, which produce quarrels and insults”; and dice, “a very great evil” for its frivolous conveyance of pains and mockery (27). Finally, he allows that Palamedes invented fire-beacons for communication, but for a nefarious purpose: “he intended to make them for our detriment and as something useful to the enemy” (28). With this assertion of Palamedes’ treasonous tendencies, Odysseus closes the *ad hominem* portion of the speech on a note that recalls his original accusation.

The speech concludes rather abruptly after its lengthy *pistis* section with just a single paragraph of conclusion. Odysseus first employs the rhetoric of common cause between himself and the jurors, asking them to “[look] at this [case] together with me” (29). By thus aligning himself verbally with his audience, he fosters camaraderie and promotes his own credibility. In the final words of the speech, he turns to the strategy of arousing fear in his audience, suggesting the threat of chaos among the troops. He connects this threat, in a bit of argumentative sleight-of-hand, to Palamedes’ most famous character trait: the “cleverness of his arguments” (29):

And if, having felt sorry for him, you let him off because of the cleverness of his arguments (διὰ τὴν δεινότητα τῶν λόγων), an astonishing lack of discipline in the army will ensue. For each of the troops, knowing that Palamedes too has paid no penalty when he has openly done wrong in so many ways, will try to do wrong themselves.

Again, Alcidas’ audience is faced with the amusing irony of Odysseus using a series of manipulative rhetorical strategies to accuse Palamedes of using manipulative rhetorical strategies. The emotion of fear is, nevertheless, a strong note on which to end a prosecution speech. Odysseus’ plea that jurors must set an example by punishing the defendant in order to maintain an orderly society is common in fifth-century Athenian judicial

oratory: e.g., Lysias 1 (*On the Murder of Eratosthenes*), in which the defendant argues that if the jury does not acquit him of murdering the man he had found in bed with his wife, “you will be giving adulterers such immunity that you will encourage burglars to call themselves adulterers too” (36; cf. 47–48).

III. ANTISTHENES’ *AJAX* AND *ODYSSEUS*

Antisthenes (ca. 445–365 B.C.E.) is widely credited with founding the Cynic school of thought in Greece, and it is possible that he also founded the Stoic school (a claim made in Diogenes Laertius’ *Lives and Opinions of Eminent Philosophers*). Initially a pupil of Gorgias and later a follower of Socrates, he is better known for his philosophical than for his rhetorical writings.²⁵ As in the case of the other speeches discussed in this article, it is impossible to identify the precise date of Antisthenes’ *Ajax* and *Odysseus* speeches; the best estimate is sometime in the late fifth or early fourth century (Worman suggests ca. 415–410 B.C.E.). Scholarly treatment of Antisthenes’ rhetorical work has been relatively sparse: several European articles at the turn of the last century (Radermacher 1892, Lulofs 1900, Altwegg 1907) focus primarily on questions of authenticity, style, and metrical patterns in the *Ajax* and *Odysseus*; more recent treatments have been concerned with how Antisthenes’ philosophical outlook informed the *Ajax* and *Odysseus* speeches (Rankin 1986) and how the diction and argumentation of the speeches lay groundwork for later forensic practice (Focardi 1987). Caizzi’s 1966 edition of the fragments of Antisthenes includes a brief commentary on the speeches, and Giannantoni’s 1990 edition provides an introduction to the speeches as well as a detailed summary of previous scholarship (IV.257–64). With the exception of Rankin’s book and a brief overview in Worman (2002, 185–88), English scholarship on these two speeches is nearly nonexistent.²⁶

²⁵ Antisthenes’ *Heracles*, now lost except for a few fragments, may well have served a purpose similar to the *Ajax* and *Odysseus* speeches: one can speculate that he adopts this mythological figure as a vehicle for his philosophical views, as the *Ajax*/*Odysseus* conflict is a vehicle for his rhetorical instruction.

²⁶ Navia’s 2001 book *Antisthenes of Athens: Setting the World Aright* exclusively deals with Antisthenes’ philosophical works. In a review of Navia, Susan Prince remarks upon this dearth of scholarship, speculating that “modern generalists do not know what to say about Antisthenes because the field lacks the sort of specialized yet accessible scholarly discourse that exists for other fragmentary figures such as Antiphon, Democritus, or Prodicus, for whom the primary evidence is often no more plentiful and no less contradictory.” Prince notes

Such scholarly neglect is regrettable, for the two speeches are lively and humorous, and provide a brilliant example not only of the antilogy tradition but also of the sophistic phenomenon that I am tracing. The basis for Antisthenes' creation is the *hoplōn krisis* episode depicted in the *Little Iliad* and alluded to in *Odyssey* 11. Like the most famous retelling of this story—Sophocles' *Ajax*, produced a generation earlier—Antisthenes' speeches represent a creative reinterpretation of the epic version to fit a particular generic purpose. But unlike the tragic version, designed to entertain and move an audience, Antisthenes' version is designed to instruct its audience by exemplifying competing rhetorical strategies and philosophical ideologies.²⁷ The story's tragic emotion is largely replaced, in Antisthenes, with displays of technique.

There are clear Homeric echoes in Antisthenes' verbal characterization of Odysseus and Ajax, with both speakers reinforcing the traditional polarities between their characters. Ajax is the man of action, forthright and naïve, who bluntly and repeatedly champions deeds over words (53.1):

καίτοι ποία τις ἂν δίκη δικαστῶν μὴ εἰδόντων γένοιτο, καὶ ταῦτα διὰ λόγων; τὸ δὲ πρᾶγμα ἐγίγνετο ἔργῳ.

Indeed, what sort of justice can there be when judges do not know [anything], and when the case [is being judged] according to words? The issue came about by deeds.

and (53.7),

μοῖν λέγω . . . μὴ εἰς τοὺς λόγους σκοπεῖν περὶ ἀρετῆς κρίνοντας, ἀλλ' εἰς τὰ ἔργα μάλλον. καὶ γὰρ ὁ πόλεμος οὐ λόγῳ κρίνεται ἀλλ' ἔργῳ· οὐδ' ἀντιλέγειν ἔξεστι πρὸς τοὺς πολεμίους, ἀλλ' ἢ μαχομένους κρατεῖν ἢ δουλεύειν σιωπῇ.

that Navia's book is "only the sixth monograph published on Antisthenes in any language since 1900" and "only the second ever in English [after Rankin's]" (*BMCR* 2001.06.23).

²⁷The philosophical implications of the two speeches have been explored by Rankin 1986. For example: "In their [Ajax and Odysseus] confrontation we can see a movement away from the 'Homeric' emphasis on personal honour, which in a modified form persisted in the Fifth Century BC. A more individualized notion of *arete* which involved a different honour from that which is conferred by the approval of other people, (*sic*) was being introduced, largely through the influence of sophistic and Socratic teaching and example . . . Aias, the loser, represents the world of Cimon, of Pericles, and Nicias. Antisthenes' Odysseus brings forward a view *arete* and personal honour which was founded on the individual's convictions about what was worthy, rather than upon public opinion. Odysseus moves towards Socrates and the Protocynic views of Antisthenes" (154).

You should not look at words when judging concerning heroic virtue (*aretē*), but rather at deeds. For war is decided not by word but by deed: we cannot compete in debate with our enemies, but must either conquer them by fighting or be slaves in silence.²⁸

This disdain for “words” recalls the sentiment that Ajax had voiced in his relatively laconic speech during the embassy to Achilles in *Iliad* 9.625–6: “I think that nothing will be accomplished by argument on this errand” (οὐ γάρ μοι δοκέει μῦθοιο τελευτῇ τῇδὲ γ’ ὁδῷ κρανεέσθαι). In Antisthenes’ speech, Ajax complains that Odysseus has the upper hand in any contest of words, particularly since those judging the case had not been present for “the deeds themselves” (τοῖς ἔργοις αὐτοῖς, 53.1), i.e., the battle for Achilles’ body and arms. Disparaging remarks about the judges recur throughout Ajax’s speech, including many variants of the phrase “you judges who know nothing” (53.1, 4, 7, 8). Such an antagonistic attitude towards the audience that he is trying to persuade constitutes an obvious rhetorical blunder. It is, however, in keeping with Ajax’s *ēthos*, an *ēthos* that is well-known from the epic tradition, thus providing Antisthenes with a readily recognizable figure upon whom to map dysfunctional rhetoric (just as Odysseus will illustrate effective rhetoric).

Aside from his complaints about the injustice of the trial, Ajax makes three major rhetorical arguments for his case. The first concerns his own achievements with regard to the situation in question; he reminds the arbiters that he had rescued Achilles’ body in battle, which (he claims) was a more valuable prize to the Trojans than the armor that Odysseus rescued (53.2). This reasoning leads to his second major argument, namely, that Odysseus is a man of cowardly and ignoble character (53.3):

κάγὼ μὲν ἀξιῷ λαβεῖν ἵν’ ἀποδῶ τὰ ὅπλα τοῖς φίλοις, οὗτος δὲ ἵν’ ἀποδῶται, ἐπεὶ χρῆσθαι γε αὐτοῖς οὐκ ἂν τολμήσειε· δειλὸς γὰρ οὐδεὶς ἂν ἐπισήμοις ὅπλοις κρήσαιο, εἰδὼς ὅτι τὴν δειλίαν αὐτοῦ ἐκφαίνει τὰ ὅπλα.

I thought it right to take the armor so that I could hand it over to his friends; but he [wants it] so that he can sell it, since he would not dare to use it: for no coward would use distinguished armor, knowing that the armor would reveal his cowardice.

This aggrieved character assassination dominates the middle of Ajax’s speech. “For there is nothing which he does in any way openly, while I

²⁸Text of Antisthenes taken from Giannantoni 1990; translation is my own.

would dare to do nothing secretly,” Ajax asserts (53.5), simultaneously promoting his own *ēthos* as a straight-talker while invoking Odysseus’ epic reputation for obscuring the truth. After attacking Odysseus for caring more about profit than about honor and reputation, Ajax sums up this *ad hominem* portion of his speech with the rhetorical question, “Then is this worthless and sacrilegious man (ὁ μαστιγίας καὶ ιεροσύλος) worthy to possess the armor of Achilles?” (53.6).

Ajax’s final rhetorical thrust is a threat, couched in the form of the ominous gnomic statement: “Justice is to be dispensed even to the judges, if they do not judge rightly” (καὶ αὐτοῖς τοῖς δικάζουσι δοτέα δίκη ἐστίν, ἂν μὴ δικάσωσιν ὀρθῶς, 53.8). This is a more blunt form of the final persuasive consideration that Palamedes had raised in Gorgias’ *Defense of Palamedes* at 34–36 (see above, pp. 41–42). Whereas Palamedes invoked the milder threat of public reprobation if his judges were to hand down a wrongful conviction, Ajax seems to be hinting at actual violence, as he admonishes his audience to “look toward these things and consider: if you do not judge rightly, you will perceive that a word has no strength against a deed (οὐδεμίαν ἔχει λόγος πρὸς ἔργον ἰσχύν), and a speaking man will not be of any help to you” (53.7–8). Such a belligerent tone would surely ring true to an audience familiar with the prickly, defensive demeanor that Ajax displays in Homer, most notably in the underworld in *Odyssey* 11. For the purposes of rhetorical persuasion, however, it is the wrong note to strike. Far from “disposing the audience” favorably, as Aristotle recommends, through using flattery or evoking emotions of sympathy, Ajax has stubbornly clung to his severe heroic idealism. This is not the formula for winning debates in a sophistic world.

Having provided an example of what not to do when arguing a case, Antisthenes then supplies an antilogical counterpart illustrating the correct way to argue (in terms of rhetorical technique, if not moral superiority). Antisthenes’ Odysseus is the consummate rhetorician, attuned to his audience and ruthlessly clever in his argumentation. From his very first lines, Odysseus exudes expansive graciousness and a firm—but not pugnacious—claim to moral superiority: “This speech of mine is not to you [Ajax] only, because of whom I stand here; but also to all the others—for I have done more good for the encamped army than all of you have” (54.1). This opening disposes the audience favorably and launches Odysseus into one of the two major rhetorical thrusts of his speech: attesting his own benevolent *ēthos*. An essential strategy in all the speeches discussed here, *ēthos* appeals are particularly apt for these mythological/poetic characters, since it is for their familiar identities that they have been co-opted into rhetorical service. Antisthenes’ Odysseus employs it

masterfully as he gives an account of his service to and sacrifice for the Greek cause at Troy. He reminds his audience that the role he played was uniquely dangerous and uniquely important, enhancing his *ēthos* by means of contrast (54.2):

καίτοι ἐν μὲν ταῖς κοιναῖς μάχαις, οὐδὲ εἰ καλῶς ἀγωνίζοισθε, πλεον ἐγίγνετο οὐδέν· ἐν δὲ τοῖς ἑμοῖς κινδύνοις, οὓς ἐγὼ μόνος ἐκινδύνευον, εἰ μὲν κατορθώσαιμι, ἅπαντα ὑμῖν ἐπετελείτο ὧν ἔνεκα δεῦρο ἀφίγμεθα, εἰ δ' ἐσφάλην, ἐμοῦ ἂν ἐνὸς ἀνδρὸς ἐστέρησθε.

Indeed, in the common battles, not even if you all competed bravely could anything greater come about [than winning the battle]: whereas if I succeeded in *my* exploits which I alone risked, everything for which we came here would be accomplished; but if I failed, you would be deprived of only one man—me.

Odysseus continues to build his argument by mounting an impassioned defense against Ajax's accusations that his methods of fighting are underhanded and ignoble. He combines claims of necessity and pragmatism with piety in defending his seizure of the statue of Athena from the Trojans (54.3), which Ajax had labeled as blasphemous. In countering this charge, Odysseus deftly pivots from another reminder of his good *ēthos* to an *ad hominem* attack on his opponent, remaining attentive as always to his audience and their experiences (54.4–5):

καὶ τὴν Τροίαν μὲν ἀλῶναι ἅπαντες εὐχεσθε, ἐμὲ δὲ τὸν ἔξευρόντα ὅπως ἔσται τοῦτο· ἀποκαλεῖς ἱερόσυλον; . . . καὶ οἱ μὲν ἄλλοι χάριν ἔχουσι, σὺ δὲ καὶ ὀνειδίζεις ἐμοί· ὑπὸ γὰρ ἀμαθίας ὧν εὖ πέπονθας οὐδὲν οἶσθα. κἀγὼ μὲν οὐκ ὀνειδίζω σοι τὴν ἀμαθίαν· ἄκων γὰρ αὐτὸ καὶ σὺ καὶ <οἱ> ἄλλοι πεπόνθασιν ἅπαντες· ἀλλ' ὅτι διὰ τὰ ὀνειδή τὰ ἐμὰ σφζόμενος οὐχ οἷός τε εἰ πείθεσθαι, ἀλλὰ καὶ προσαπειλεῖς ὡς κακὸν δράσων τι τούσδε, ἐὰν ἐμοὶ τὰ ὅπλα ψηφίσωνται.

All of you were praying that Troy would be captured—but you, Ajax, call me blasphemous, when I figured out how this can be done? . . . Others have gratitude, but you reproach me, because you—being under the influence of ignorance—know nothing about how well things have gone for you. On the one hand, I do not reproach you for your ignorance, since you and all others suffer it unwillingly; but [on the other hand, I do,] because even though you have been saved through my rebukes, you cannot be persuaded, and indeed you go so far as to threaten to do these men some harm if they vote to award the arms to me.

In a single stroke, while ostensibly addressing Ajax, Odysseus has reminded the judges of both his own crowning contribution to the Trojan

war and the most negative aspects of Ajax's character. Ignorance, willful stubbornness, and violence are qualities of Ajax that the epic tradition de-emphasizes in favor of their more heroic counterparts: straightforwardness, persistence, and fighting strength. But this is no Iliadic battlefield; in the tamed context of a fifth-century court of justice, where (as Ajax rightly feared) *logoi* trump *erga*, Odysseus can manipulate not only his own *ēthos* but that of his opponent as well.

Much of Odysseus' speech alternates between a diatribe against Ajax and a defense of himself against the accusations of cowardice and shameful methods in the war effort. In the "proof" or *pistis* portion of his speech (sections 6–12), Odysseus ranges from pure insult to more philosophical critique of his opponent. Examples of the former are the taunts: "You, because you toil openly and fruitlessly, are foolish" (54.6); and "Do you rejoice like children do, because these men say that you are manly?" (54.7). A more philosophically driven attack is the one Odysseus makes concerning Ajax's current armor: "But I say that you are the most cowardly of all men, and the one who most fears death: you who are the first to hold indestructible and untouchable armor . . . What would you do if one of our enemies marched toward you holding the same sort of armor?" (54.7).²⁹ With this argument, Odysseus also implicitly invites the audience to question Ajax's need for Achilles' armor. Finally, Odysseus uses this portion of the speech to subvert Ajax's primary criticism of him by recalling that, though his methods may not have had a noble or heroic appearance, no one can argue with his success against the enemy (54.9)—that is, his actual *erga*. "For war does not in any way love seeming (*δοκεῖν*); it always loves doing (*δρᾶν*), both in the day and at night," Odysseus intones in a smooth gnomic rejoinder to his rival's increasingly old-fashioned sounding *logoilerga* dichotomy (54.9).

Notable throughout this speech are several allusions to the sophistic terminology of Antisthenes' age. During Odysseus' extended attack on Ajax's character, for example, he observes, "if indeed it is necessary to form an opinion of something on the basis of likelihood (*ἐκ τῶν εἰκότων*), I would suppose that you might do yourself some evil by your bad temper (*κακῆς ὀργῆς*)" (54.5). The reference to "likelihood" clearly suggests one of the most commonly used rhetorical strategies of the sophists, the

²⁹ For the contrasting philosophical perspectives contained in these two speeches of Antisthenes, see Rankin 1986. Odysseus, argues Rankin, articulates Antisthenes' point of view, namely, that suffering (*ponos*) serves to mold the character and bring about *aretē*, and therefore suffering and ill-repute are not to be feared and avoided as they are in the heroic code, exemplified by the character of Ajax (122–23).

argument from *eikos* (familiar from Gorgias' *Defense of Palamedes*). Odysseus' prediction also offers a knowing nod to the story of Ajax's later fate, perhaps even more specifically to the recent (from Antisthenes' perspective) high-profile treatment of his κακή ὀργή in Sophocles' play. Again here, as in Alcidas, we see rhetoric working on two levels, as the author reaches beyond his speech's internal rhetorical conceit to remind his contemporary audience of the very specific *technē* at work in this display. Such play with the boundaries between the heroic setting and themes of Odysseus' speech and its programmatic function culminates in the speech's closing lines. In them, Odysseus predicts his afterlife in poetry and song with a string of Homeric and quasi-Homeric epithets (54.14):

οἶμαι δέ, ἂν ποτέ τις ἄρα σοφὸς ποιητὴς περὶ ἀρετῆς γένηται, ἐμὲ μὲν ποιήσει
πολύτλαντα καὶ πολύμητιν καὶ πολυμήχανον καὶ πολίπορθον . . .

I suppose if ever there should be born some poet who is wise concerning heroic virtue, he would depict me as endurance-full and plan-full and resourceful and city-sacking . . .

The choice of *sophos* as a modifier for the (Homeric) *poiētēs* slyly but surely marks the confluence of the Homeric tradition and sophistic practice here at the end of Antisthenes' display.

IV. MYTH AND RHETORIC IN DIALOGUE: CONCLUDING CONSIDERATIONS

These four mytho-forensic speeches comprise an important node in the interlocking relationship between *mythos* and *logos*—forms of discourse and authority that are being contested as never before (and, perhaps, as never since) in fifth- and fourth-century B.C.E. Athens. Though alluring, the notion of a linear evolution from *mythos* to *logos* in Ancient Greece has long been discredited,³⁰ replaced by an acknowledgement of a more complex and mutually informing relationship between the two. Most observes that, in this relationship,

the Logos of philosophy develops from within itself, as its dialectical other, a concept of Mythos which is full of the elements and claims of Logos and has the dignity of a quasi-Logos—and thereby the Logos fundamentally

³⁰See, for example, Buxton 1999.

changes itself. In the course of its own development by a process of self-examination and self-criticism, the Logos leads eventually to a new idea of Mythos which is a recognizable, albeit an untraditional, form of Logos. We might term this process the mythification of the Logos.³¹

The sophistic speeches discussed in this article represent a very literal embodiment of the *mythos/logos* relationship that is usually framed by scholars in more abstract terms, and that is usually linked to philosophy, not rhetoric. For Gorgias, Alcidamas, and Antisthenes, myth can indeed be “full of the elements and claims of Logos,” and their model rhetorical speeches embrace “the mythification of the Logos.” In other words, myth in these four speeches is the vehicle for didactic, technical, and rhetorically argumentative discourse, analogous to the role of myth for Plato (an oft-cited example) as a vehicle for didactic, rational, and philosophical discourse. Such reliance on myth and poetic material does, however, set the four speeches apart from other more prominent currents within rhetoric and philosophy in the Classical era, which attempted to distance themselves from the mythical and poetic past. These currents—first appearing in the rational thought of Presocratics such as Thales, Anaximander, and Heraclitus, and perpetuated in Plato’s disapproval of poetry and Aristotle’s compartmentalization of poetry—dominated the discourse of Classical-era rhetoric and philosophy, and came to dominate the reception of that era as well. They are the sources invoked in discussions of an inevitable progression from *mythos* to *logos*—a “progression” that the generic mixing of the mytho-forensic speeches belies.

Along with straddling the boundary between *mythos* and *logos* as sophistic endeavors, the mytho-forensic speeches bear a relationship to literary trends of their time. Nightingale characterizes the prevailing culture of the Classical era as one of “genres in dialogue,” and these speeches provide an example of such dialogue.³² Along with the examples from Plato that Nightingale discusses, generic “hybridization” can be seen in historiography, most notably when Thucydides incorporates full speeches

³¹ Most 1999.

³² Nightingale 1995. Her *Genres in Dialogue* focuses on Plato’s appropriation of various genres (rhetoric and poetry in particular) into his philosophical dialogues, though Plato himself identified the hybridization of genres as a negative feature of contemporary Athens. Nightingale takes as a starting point the passage from Plato’s *Laws* (698a–701c) in which the Athenian Stranger decries the “generic mixture,” particularly the mixture of music and poetry, that he sees as contributing to increasing lawlessness in Athens after the Persian Wars (1).

from various distinct rhetorical voices into his historical narrative. Hybridization is also a feature of drama, with its use of visual depiction and performed direct speech—a kind of oratory—to retell mythical narratives formerly owned by the epic genre. As such, drama constitutes perhaps the closest literary parallel to the mytho-forensic speeches produced by the sophists. That tragic *rhexis* can be highly rhetorical is a fact that has long been observed.³³ The lawcourt scene in the *Eumenides* exhibits some of the structure—if not the sophisticated argumentation—of formal judicial rhetoric.

Closer in argumentative strategy to the four sophistic speeches I have examined are speeches from Sophoclean and especially Euripidean drama; Aristophanes' satire of Euripides' sophistry in the *Frogs* makes clear that the tragedian was notorious even in his own time for portraying argumentation. To cite just one example, the antilogic speeches of Helen and Hecuba in Euripides' *Troïades* (415 B.C.E.) partake of both the structure and many of the same rhetorical tropes as do the four sophistic speeches discussed above. Euripides clearly marks the situation as a legal dispute with his choice of vocabulary: Helen uses the technical term for legal prosecution in Athens—κατηγορήσεν—to characterize Hecuba's speech (917), while Hecuba opens her prosecution with a typical verb for asserting legal demonstration, δεικνύναι (τήνδε δείξω μὴ λέγουσαν ἔνδικα, 970). Helen relies heavily in her defense speech on arguments from both *ēthos* (I am the innocent victim of the gods, and in fact brought victory to Greece) and *eikos* (Is it likely that I could have overcome the gods' will, even if I had wanted to?)—the same argumentative touchstones employed by Gorgias' Palamedes. Likewise, Hecuba's case against Helen centers on mocking appeals to *eikos* (the unlikelihood of Helen's claim that Hera and Athena were desperate for Paris' favor, for example) and character assassination. In using these prosecution tactics, Hecuba resembles the Odysseus portrayals of Alcidas and Antisthenes.

Tragedy and the sub-genre of sophistry represented by the mytho-forensic speeches thus show a number of similar features. Both deal in mythological characters and stories, with a heavy emphasis on speech. Both are performative in nature. The sophistic speeches differ from tragedy,

³³ Buxton 1982 provides a classic treatment of rhetoric and tragedy, while Pelling 2005 gives a more recent overview that deals with both the social and literary aspects of this relationship. On specific types of rhetorical language in tragedy, see Bers 1994 and Goldhill 1997; on the rich connection between tragic speech and fifth-century Athenian civic practice and performance, see, among others, Goldhill 1990; Ober and Strauss 1990; Hesk 2007.

of course, in that they inhabit a “technical” genre rather than a poetic one designed primarily for entertainment. They have a more explicitly didactic aim, which links them to genres traditionally contrasted with poetry. Like rhetoric and philosophy, these speeches explore and experiment with language: the articulation of ideas, argumentative strategies, and questions of truth. By inhabiting an explicitly mythological form to do so, they practice what Isocrates would advocate, not long after their appearance, in his letter to Nicocles, ca. 370 B.C.E. (48–49):

Those who aim to write anything in verse or prose which will make a popular appeal should seek out, not the most profitable discourses (τοὺς ὠφελιμωτάτους τῶν λόγων), but those which most abound in fictions (τοὺς μυθωδεστάτους); for the ear delights in these just as the eye delights in games and contests. Wherefore we may well admire the poet Homer and the first inventors of tragedy, seeing that they, with true insight into human nature, have embodied both kinds of pleasure in their poetry; for Homer has dressed the contests and battles of the demigods in myths, while the tragic poets have rendered the myths in the form of contests and action, so that they are presented, not to our ears alone, but to our eyes as well. With such models, then, before us, it is evident that those who desire to command the attention of their hearers must abstain from admonition and advice, and must say the kind of things which they see are most pleasing to the crowd.³⁴

Such advice on the writing of “discourses” never became mainstream in the world of Classical Athens. The voices promoting a separation between poetry and philosophy or rhetoric (whether explicitly, like Plato, or implicitly, like Aristotle) were too strong. But the creative approach to rhetorical instruction embodied in these four speeches of the First Sophistic would have a robust afterlife in the Second Sophistic, reappearing in *progymnasmata* such as those produced in the fourth century by Libanius and Aphthonius (Aphthonius, writing his rhetorical treatise in the fourth century, includes among his list of fourteen rhetorical exercises the practice of *ēthopoia*, personification of historical and mythological figures).³⁵ Thus despite the fact that these four mytho-forensic speeches have links to various Classical-era developments in literature and thought, they are also curiously ahead of their time in the way that they innovate

³⁴Text and translation of Isocrates taken from Norlin 1980.

³⁵On *progymnasmata* generally, see Kennedy 1994, 202–8. On the prolific corpus of Libanius in particular, including a translation of his *progymnasmata*, see Gibson 2008.

and instruct by appropriating familiar mythological favorites. They hold a peculiar niche within the history of rhetoric, and indeed of Greek literature: they represent not a cultural shift from *mythos* to *logos*, but a means of encompassing and employing both.³⁶

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³⁶ I would like to thank *AJP*'s anonymous referees and editor David Larmour for their excellent suggestions; and Ellen Greene, Kyle Harper, and Rangar Cline for their insightful comments on drafts of this article.

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